

EX PARTE OR LATE FILED

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July 2, 1999

Ms. Magalie Roman Salas
Secretary, Federal Communications Commission
The Portals, 445 12th Street, S.W.
Washington D.C. 20554

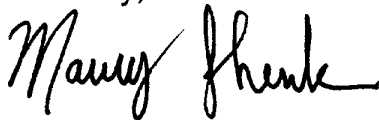
Re: Ex Parte
Establishing Rules and Policies for the Use of Spectrum for Mobile Satellite
Service in the Upper and Lower L-Band, IB Docket No. 96-132

Dear Ms. Salas:

On July 2, 1999, Patricia Mahoney and Alejandra Ornes for Iridium LLC, Barry Lambergman and Maury Shenk for Motorola, Inc., Dave Weinreich for Globalstar, L.P., and John Stern for Loral Space & Communications Ltd. met with Thomas Tycz, Fern Jarmulnek, Cassandra Thomas, Ronald Repasi, and Bill Bell of the International Bureau to discuss the attached materials regarding the above-captioned matter, two copies of which are being filed herewith.

Please contact me if you have any questions regarding these matters.

Sincerely,



Maury D. Shenk

Attachments

cc: Thomas Tycz
Fern Jarmulnek
Cassandra Thomas
Ronald Repasi
Bill Bell

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**Competition in the Global
Mobile Satellite Service:
Access to Spectrum in the L-Band**

IB Docket No. 96-132

July 2, 1999

Purpose of Meeting

- Motion to Refresh the Record in IB Docket 96-132
- Status of “Freeze” on Lower L-Band Applications from U.S. Applicants
- Access to 1.5/1.6 GHz MSS Band by US Applicants

Motion to Refresh the Record

- **Filed:** Apr. 15, 1999 by Iridium and Motorola and supported by Globalstar
- **Rationale:** MSS market and FCC's spectrum management policies have changed in 3 years since L-Band NPRM was adopted
- **Request:** FCC to seek additional comments to update information and revise assumptions that form basis for proposed L-band policies (including lower L-band "freeze")

Significant Changes in MSS Industry in Last 3 Years

- **Inmarsat's announcement that it is now privatized**
- **Commencement of Iridium system operations and near-term entry of other global MSS operators - Globalstar, ICO**
- **WTO Telecom Agreement, DISCO II, and increase in requests by non-U.S. companies for access to spectrum in U.S.**
- **Development of more spectrum efficient technologies**
- **2 GHz MSS licensing activities**

Reasons for L-Band NPRM Policies Are No Longer Valid

- **L-band spectrum coordination picture has changed**
 - Inmarsat's dominant spectrum position no longer justified by intergovernmental organization status
 - 20 MHz no longer considered by FCC to be minimum necessary
- **It is not now true that AMSC is in best position to provide MSS to public expeditiously**
 - Multiple MSS providers now or soon will exist
 - Iridium, AMSC, Globalstar, ICO
- **L-band is no longer the only band available for geostationary MSS**
 - 2 GHz MSS band now available for GSO/NGSO MSS
- **After 4 years, AMSC has now had a “fair opportunity to compete”**

Lower L-Band “Freeze”

- Lower L-band “freeze” reaffirmed in L-band NPRM
- U.S. applicants continue to be barred by freeze and excluded from ITU and other coordination processes
- Despite freeze, IB has accepted for filing many applications for access to Lower L-band

What is needed

- **FCC to**
 - **call for additional comments and replies to refresh the record**
 - **issue a Report and Order on an updated record and clarify rules for band**
 - **lift “freeze”**
 - **open window and initiate processing round**

RECENT FCC DECISIONS TO REFRESH STALE RECORDS

- **The Common Carrier Bureau Asks Parties to Update and Refresh Record for the Inmate Payphone Service Proceeding**, Public Notice, CC Doc. No. 96-128, DA 99-841 (May 6, 1999) (requesting further comments)
- **Commission Asks Parties to Update and Refresh Record for Access Charge Reform and Seeks Comments on Proposals for Access Charge Reform Pricing Flexibility**, Public Notice 98-256 (Oct. 5, 1998) (requesting interested parties to submit comments to refresh the record in view of developments including that “parties have had the opportunity to observe changes in the level of competition in the marketplace”)
- **In the Matter of Personal Communications Industry Association’s Broadband Personal Communications Services Alliance’s Petition for Forbearance for Broadband Personal Communications Services**, WT Doc. No. 98-100, 13 FCC Rcd. 16857 (July 2, 1998) (“Because ... legal changes [arising from the passage of the Telecommunications Act of 1996] and changes in the telecommunications marketplace have made portions of the record in the Further Forbearance NPRM stale, we terminate that proceeding and seek new comments regarding forbearance”)
- **Commission Requests Comment to Refresh the Record on Proposals for Blanket Licensing of Satellite Earth Stations Operating in the 17.7-20.2 GHz and 27.5-30.0 GHz Frequency Bands and Sharing Between Fixed Terrestrial and Satellite Services in the 17.7-19.7 GHz Frequency Bands**, Public Notice 92-27 (Sept. 5, 1997) (requesting new comments on blanket licensing procedures and sharing arrangements in light of intervening grants of authority to construct, launch, and operate multiple FSS systems)
- **Amendment of the Commission’s Regulatory Policies to Allow Non-U.S.-Licensed Space Stations to Provide Domestic and International Satellite Service in the United States (“DISCO II”)**, Further Notice of Proposed Rulemaking, IB Doc. No. 96-111, FCC 97-252 (July 18, 1997) (seeking new comments after WTO Telecom Agreement significantly altered the international framework for market access)
- **In the Matter of Toll Free Service Access Codes**, Public Notice, CC Doc. No. 95-155 (July 2, 1997) (seeking new comments on treatment of toll-free vanity numbers in light of fact that existing record was almost two years old and industry was soon to deploy new toll-free access number)